

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JANSEN MANFREDINI,

Plaintiff,

v.

QUICK TECHNOLOGIES, INC., D/B/A
SAGE, DAVID NATINSKY, ERIC
NATINSKY, BILLE FORMAN,

Defendants.

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CIVIL ACTION NO. 3:21-cv-2886

DEFENDANTS' NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Northern District of Texas:

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendants, Quick Technologies, Inc. d/b/a SAGE (“QTI”), David Natinsky, Eric Natinsky, and Bille Forman (together the “Defendants”), file this Notice of Removal of the state court proceeding entitled *Jansen Manfredini v. Quick Technologies, Inc., d/b/a SAGE, David Natinsky, Eric Natinsky, Bille Forman*, Cause No. DC-21-15161 from the District Court for the 191st Judicial District, Dallas County, Texas, where the action is now pending, to the United States District Court for the Northern District of Texas, and respectfully show this Court:

1. Pursuant to 28 U.S.C. § 1446(b)(2)(A), Defendants QTI, David Natinsky, Eric Natinsky, and Bille Forman consent to removal of the action to the United States District Court for the Northern District of Texas from the District Court for the 191st Judicial District, Dallas County, Texas. The undersigned counsel are counsel for all Defendants and each Defendant consents to removal.

I. BASIS FOR REMOVAL—FEDERAL QUESTION JURISDICTION

2. Federal district courts have jurisdiction in a civil matter over all civil actions arising

under the Constitution, laws, or treaties of the United States. 29 U.S.C. § 1331.

3. Plaintiff Jansen Manfredini (“Plaintiff”) brought this lawsuit purporting to sue the Defendants for damages and unspecified equitable relief based on actions occurring during her employment and the termination of her employment with Defendant QTI. Plaintiff claims that Defendant QTI violated Title VII of the Civil Rights Act of 1964 (codified at 42 U.S.C. § 2000e *et seq.*), and that all Defendants violated the Family Medical Leave Act (codified at 29 U.S.C. § 2611 *et seq.*) during her employment with QTI. The non-QTI defendants are executives or managers at QTI. Both Title VII of the Civil Rights Act of 1964 and the Family Medical Leave Act are a law of the United States.

4. This action is removable under 28 U.S.C. § 1441(a). The United States District Court for the Northern District of Texas has jurisdiction on the basis of federal question jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1367, because the claims are so related that they form part of the same case or controversy.

5. This Notice of Removal is properly directed to this Court pursuant to 28 U.S.C. § 1446(a) as this is the district and division encompassing Dallas County, where the Original Petition is pending in Texas state district court and is properly assigned to this division. 28 U.S.C. § 124(a)(1).

II. REMOVAL IS TIMELY

6. On October 12, 2021, the above-entitled action was commenced against the Defendants in the District Court for the 191st Judicial District, Dallas County, Texas and is now pending in that court. Defendants QTI, and David Natinsky, were served on October 21, 2021, Defendant Bille Forman was served on October 22, 2021, and as of the date of this filing, Defendant Eric Natinsky has not been served. All Defendants have answered in Texas state court.

7. Pursuant to 28 U.S.C. § 1446(b), this Notice is filed within 30 days of such service.

III. NOTICE TO STATE COURT AND PARTIES

8. As required by 28 U.S.C. § 1446(d) a Notice to the District Court of Filing of Notice of Removal, together with a copy of this Notice of Removal, is being promptly filed in the 191st District Court, Dallas County, Texas. Defendants will also promptly give written notice of the filing of this Notice to Plaintiff's counsel.

IV. STATE COURT PLEADINGS PROVIDED

9. True and correct copies of all executed process, pleadings, orders and the state court docket sheet are filed herewith.

10. A jury demand was made in the above-entitled action in the District Court for the 191st Judicial District, Dallas County, Texas.

CONCLUSION

WHEREFORE, Defendants request that the above-entitled action proceed in this Court as an action properly removed to it.

Respectfully submitted,

BOULETTE GOLDEN & MARIN L.L.P.

By: /s/ Laura M. Merritt

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 17, 2021, a true and correct copy of the above and foregoing document was filed with the court using *CM/ECF* and sent via *CMRR* to:

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